

**\*\*NOT FOR PRINTED PUBLICATION\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SECURITIES AND EXCHANGE  
COMMISSION

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*Plaintiff,*

CIVIL ACTION No. 4:11CV655

v.

§

JUDGE RON CLARK

JAMES G. TEMME, and STEWARDSHIP  
FUND, LP

§  
§

*Defendants,*

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§

**ORDER**

On July 1, 2013, the court heard evidence on whether HP Debt Exchange, LLC and Christopher Ganter had violated court orders and should be held in contempt. For the reasons stated on the record on July 1, 2013, the Court found by clear and convincing evidence that Respondents HP Debt Exchange, LLC and Christopher Ganter violated definite and specific orders of the Court, namely Doc. #24 at ¶8, 25 at ¶9, and 30 at ¶9, of which they had knowledge, by offering to sell and selling assets of the Receivership Estate for \$450,000. [Doc. # 209]. Accordingly, the Court found Respondents HP Debt Exchange, LLC and Christopher Ganter in contempt of Court and ordered them to jointly and severally pay four hundred and fifty thousand dollars (\$450,000) into the registry of the U.S. District Court for the Eastern District of Texas no later than 12 pm (noon) CST on July 15, 2013. The court issued an alternative order on July 3, 2013, holding that if for any reason the \$450,000 is not timely deposited into the court registry, Respondents HP Debt Exchange, LLC and

Christopher Ganter shall immediately turn over the \$450,000 to the Receiver who shall, upon receipt of any such funds, deposit the funds into the registry of the court. [Doc. # 210].

On July 17, 2013, the court extended the deadline for Respondents Christopher Ganter and HP Debt Exchange LLC to turn over the \$450,000 to the Receiver Keith Miles Aurzada or pay said sum into the registry of the court to 12:00 pm CST July 26, 2013. On July 26, 2013, the Receiver notified the court that he is in receipt of the \$450,000 from Respondents and intends to pay the money into the court registry shortly. [Doc. # 223].

At the July 1, 2013 hearing, the court also granted the Receiver's motion for attorney's fees incurred in connection with the contempt hearing. The Receiver, however, was not prepared with any evidence in support of this request. The court granted the Receiver leave to file the supporting documentation after the hearing, however, no such documentation has been received by the court. A fee applicant has the burden of presenting adequate documentation of the hours reasonably expended.

*La. Power & Light Co. v. Kellstrom*, 50 F.3d 319, 324 (5th Cir 1995). Since no such evidence has been timely produced, the Receiver's request for attorneys' fees is DENIED.

IT IS ORDERED THAT Respondents Christopher Ganter and HP Debt Exchange LLC have purged themselves of contempt. Respondent Christopher Ganter's motion for return of passport [Doc. # 224] is GRANTED. The clerk of the court shall release Mr. Ganter's passport to Mr. Ganter who shall provide appropriate identification such as a driver's license or other government issued photo ID, to ensure the passport is released to the proper person.

So ORDERED and SIGNED this 29 day of July, 2013.

  
Ron Clark, United States District Judge